

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

JOHN ANDERJASKA, CHUNGYAO CHEN,
TEENA COLEBROOK, JOEL GRIFFITH,
ART HEINEMANN, CALVIN WILLIAMS,
CHARLES WITTE, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

BANK OF AMERICA, N.A., CAPITAL ONE,
N.A., CITIBANK, N.A., J.P. MORGAN
CHASE, N.A., WELLS FARGO BANK, N.A.,

Defendants.

Docket No. 1:19-cv-03057-LTS

(Removed from the Supreme Court of
the State of New York, New York
County, Index No. 151484/2019)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the supporting Memorandum of Law dated May 14, 2020, and upon all prior pleadings and proceedings filed in this case, Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) will move this Court before the Honorable Laura Taylor Swain, 500 Pearl St., New York, NY 10007-1312, at a time to be fixed by the Court, for an order pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure dismissing the Complaint filed by Plaintiffs John Anderjaska, Chungyao Chen, Teena Colebrook, Joel Griffith, Art Heinemann, Calvin Williams, Charles Witte with prejudice and for such other and further relief as may be deemed just and proper.

PLEASE TAKE FURTHER NOTICE that oral argument is not requested, however, Wells Fargo will readily accommodate the Court’s preferences in this regard.

Dated: May 14, 2020

Respectfully submitted,

WELLS FARGO BANK, N.A.

By /s/ John C. Lynch

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CERTIFICATE OF SERVICE

I hereby certify that on May 14, 2020, I electronically filed the foregoing *Notice of Motion to Dismiss* with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ John C. Lynch
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